

MOAB CITY ORDINANCE NO. 2020-02

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR PROPERTIES OWNED BY COMMUNITY REBUILDS, FROM R-3 MULTI-HOUSEHOLD RESIDENTIAL, TO C-2 COMMERCIAL-RESIDENTIAL ZONING, AND FROM C-2 COMMERCIAL RESIDENTIAL, TO R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONING; AND AMENDING THE CITY OF MOAB OFFICIAL ZONING MAP

WHEREAS, Community Rebuilds, (“Owner”), 150 South 200 East, Moab, Utah 84532, submitted an application for an amendment to the Official Zoning Map for the City of Moab, for the properties at 140 South 200 East, AND 150 South 200 East, more particularly described as follows:

Parcel: 01-0B08-0008. PROPERTY ADDRESS: S 0200 E: 140 MOAB 84532-0000. ACRES 0.27. PARCEL DESCRIPTION: BEG 131 FT S NE COR LOT 4 BLOCK 8 MOAB TOWNSITE; TH W 115.5 FT; TH S 100 FT; TH E 115.5 FT; TH N 100 FT POB 0.27 AC

Parcel: 01-0B08-0003. PROPERTY ADDRESS: S 0200 E: 150 MOAB 84532-0000. ACRES 0.87. PARCEL DESCRIPTION: BEG AT A POINT LOCATED S 231 FT FROM NE COR BLOCK 8; MOAB TOWNSITE; TH W 274 FT; TH S 231 FT; TH E 159 FT; TH N 218 FT; TH E 115 FT; TH N 13 FT TO POINT OF BEG. 0.87 AC

WHEREAS, the approximate .27 acre property located at S 0200 E 140 is currently zoned R-3 (Multi-household Residential) and the Applicant has requested a zoning map amendment for C-2 (Commercial Residential); and

WHEREAS, the approximate .87 acre property located at S 0200 E 150 is currently zoned C-2 (Commercial Residential) and the Applicant has requested a zoning map amendment for R-3 (Multi-household Residential); and

WHEREAS, Applicant is requesting that the zoning of the parcels considered in the application be switched to reflect the desired uses for the property by the property owner; and

WHEREAS, the uses of each property, as it currently operates, creates difficulty of operation for each property, and the proposed switch in zoning would more effectively meet the intention of uses in each property; and

WHEREAS, Applicant is aware that a site plan may be required for development if the amended zoning is approved; and

WHEREAS, Applicant provided the Planning Commission (Commission) with an application and the appropriate documents as required in MMC Section 17.04; and

WHEREAS, the Commission reviewed the application in a duly advertised public hearing held on December 12, 2019, to review the allowed uses in the R-3 and the C-2 zoning districts; and

WHEREAS, the Commission determined that the amendments to the zoning map is in accordance with the General Plan and development trends of the community to provide a necessary orientation and transition between commercial and residential zoning; and

WHEREAS, having evaluated the staff recommendation, statements from the Applicant and the public, the Commission concluded that the proposed change in the zoning for these properties was an acceptable amendment to the Official Zoning Map; and

WHEREAS, the Commission has determined that the review standards in Moab Municipal Code chapter 17.04.060, *Map amendment approval criteria*, have been met as follows:

- A. The existing zones will be switched to better facilitate the current/ proposed uses on the property.
- B. The character of current uses would be better served in amending the zones, thus changing the uses on each lot based on orientation to public access. As well as staying in consistent orientation of neighboring zoning.
- C. The proposed zoning classifications for residential and commercial use are compatible with the surrounding uses.
- D. The impacts of the existing uses would be maintained, and any new impacts can be mitigated.
- E. Adequate facilities are available to serve the type and scope of the development suggested by the proposed zoning classification.
- F. The surrounding residential uses will be buffered from the subject commercial use by the residential use of the subject property.
- G. The application conforms to the provisions of the Moab General Plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MOAB, UTAH, having considered public comment, Staff recommendations, and discussion of the pertinent aspects of the proposed amendment, by recommending approval of Ordinance 2020-02, does hereby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the City Council approves the application to rezone 140 South 200 East Moab, Utah in the R-3, Multi-household Residential Zone, to C-2, Commercial Residential Zone; AND 150 South 200 East Moab, Utah in the C-2, Commercial Residential Zone, to R-3, Multi-household Residential Zone.

Emily Niehaus, Mayor

Date

Attest:

Sommar Johnson, City Recorder